IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION.

CRIMINAL APPLICATION NO.3 OF 2006

ALONG WITH

CRIMINAL APPALICATION NO.4 OF 2006

Shri.Md.Hanif A.Karim Shaikh : Applicant

versus

The State of Maharashtra & Anr. : Respondents.

Mr.Shrishail Sakhare h/f Mr.Surel Shah for the applicant.

Miss.Rajeshree Gadhavi, APP, for the State.

CORAM : V.M.KANADE, J.

DATED : 10th February 2006.

ORAL ORDER

1. Heard learned counsel appearing for the applicant and learned APP for the State. The applicant apprehends that he is likely to be arrested in connection with C.R. No.328/05 which

is registered against him by the Jail Road Police Station, Solapur for the offence punishable under Section 420 of the Indian Penal Code. and has filed this application for anticipatory bail under Section 438 of the Criminal Procedure Code.

2. It is submitted that initially temporary bail was granted for a period of two months by the Sessions Court. However, subsequently, when an application was made for continuation of said order of anticipatory bail, the Sessions Court has rejected the said application. It is alleged by the applicant that the applicant had demanded a bribe for the purpose of giving a job in school which was managed by the applicant. The learned counsel appearing for the applicant submits that there is a delay of almost eight years in filing the present complaint. He, therefore, submits that on this ground alone the applicant is entitled to get an order of anticipatory bail. He submits that the applicant will co-operate with the police.

3. Taking into consideration the delay in filing the FIR and the fact that there is no documentary evidence with the complainant to

substantiate her case against the present applicant, in my view, the applicant is entitled for grant of anticipatory bail.

In the result, in the event of arrest of the applicant in connection with C.R.No.328/05 registered by Jail Road Police Station, Solapur the applicant be released on bail in the sum of Rs.10,000/- with one or two sureties in the like amount. The applicant shall report to the Jail Road Police Station, Solapur as and when called till filing of the charge sheet. Both the applications are disposed of in the above terms.

[V.M.KANADE,J]